IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 12761 of 2005

Between:

Joga Sammakka, W/o. Nageswara Rao,
R/o. Narsapur, Ananthogu Gram Panchayat, Gundala Mandal, Khammam

District.

..... PETITIONER

AND

1 Inspect of Police, Gundala Circle, Khammam District.
2 Superintendent of Police, Khammam.
3 State of Andhra Pradesh, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or Writ, more particularly one in the nature of Habeas Corpus declaring that the action of the respondents in detaining the husband of the Petitioner, Joga Nageswara Rao S/o. Lakshmaiah, aged about 32 Years, Koya (Scheduled Tribe), R/o. Narsapur, Ananthogu Gram Panchayat, in their custody from 28/5/2005 without leave of any Court of law is illegal, and further direct the respondent to produce the Petitioner's husband in this Hon'ble Court and set him free, and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.K.BALAGOPAL

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following :

O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ)

In response to the allegations made in the affidavit, it has been stated that the detenu was arrested in connection with Crime No.8 of 2005 of Gundala Police Station and was produced before the Judicial Magistrate of First Class, Yellandu, Khammam District on 17-06-2005, who remanded him to judicial custody and the detenu is now lodged in Sub-Jail, Yellandu. Copy of the first information report in Crime No. 8 of 2005 has been annexed with the counter-affidavit.

In this view of the matter, no further orders are necessary to be passed in the writ petition, which is accordingly dismissed. No order as to costs.

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(Bilal Nazki, ACJ)

24th June, 2005

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(G.Chandraiah,J)

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To

1 Inspect of Police, Gundala Circle, Khammam District.
2 Superintendent of Police, Khammam.
3 The Principal Secretary, State of Andhra Pradesh, Home Department, Secretariat, Hyderabad.

4 Two C.Cs to the Advocate General, High Court Buildings, A.P., Hyderabad

(OUT)

5 Two C.D copies

6 The Officer concerned, PIL Cell, High Court Buildings, A.P.,

Hyderabad.

7 The Secretary, A.P. State Legal Advisory Board, High Court

Buildings, A.P., Hyderabad

8 The Secretary to Government, Home Department, Secretariat,

Hyderabad.